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 U.S. Department of Energy
 Office of Civilian Radioactive Waste Management
 Yucca Mountain Site Characterization Office
 P.O. Box 30307, M/S 010
 North Las Vegas, NV 89036-0307

Facsimile: 1-800-967-0739

Re: YUCCA MOUNTAIN DRAFT EIS. PUBLIC COMMENT

Dear Ms. Dixon:

As I understand that today is the closing date for agency receipt of public comment on Yucca Mountain Draft EIS, please include this facsimile transmission which includes comment with attachments submitted via the U.S. Postal Service, priority mail on February 8, 2000 as part of the official agency record of proceedings.

WHAT decisions are made by elected officials and public agencies on behalf of the public is, apparently, subject of controversy by some. See Attachment A. "Haste Makes No Case For Secret Meetings." THE CINCINNATI ENQUIRER, Feb. 9, 2000, pg. A-12. More controversy results over HOW decisions are made, when due process and procedures are violated in decision-making process. The Hamilton County Commissioners decision to spend public funds is termed a "buzzer-beater" that was "out of bounds" in "governmental-speak for a closed meeting." Lawsuit from 'the opposition' to the total project, i.e., Ohio Riverfront development known regionally as "the Banks."

The confusion and inability of decision-makers to distinguish between "state/national" secrets and "trade/corporate" secrets has been rather obvious in local, regional, and national decision-making process during search for "solutions," what to do with HLRW. DOE has, in multiple processes, determined that "hybrid" approach is actually being implemented.

Recycling of "surplus" nuclear weapons materials into MOX fuel for commercial nuclear power reactors with some dispositioned pursuant to Nuclear Waste Policy Act--with possible revisitation of language--in DOE Record of Decision of 1/4/00 reflects this confusion and is another 'buzzer beater out of bounds.' In order for the public to trust the best judgment of the experts in "solving" the what to do with HLRW dilemma, the "experts" must inspire/earn the public's trust and confidence.

Latest Appalachian media report to the public in conjunction with DOE investigation at the Paducah

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Gaseous Diffusion Plant Site into health, safety, and environmental problems on and off plant boundaries fails to inspire such trust and confidence. In fact, some plant workers participated in government radiation experiments during the 1950's. Some participants were volunteers, while others may not have been informed that they were being used as subjects radiation/human health experiments!

In one experiment, health physics staff volunteered to breathe a radioactive gas to see how quickly uranium was excreted in their urine. Trying a different ingestion path, one senior staffer drank uranium in a solution. (Attachment B.)

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on page 3

According to media report, general dangers of radioactivity were known, but how interactions took place in the human body were not clearly understood. At that time, it was generally believed that various radioactive by-products of the enrichment process, and exposure to uranium dust posed little or no significant human health hazard. While that belief may have been held in the early 1950's, considerable evidence to the contrary now exists. "Experts" in the early 1950's obviously did not know then what we know now. DOE is obligated to apply "expertise" gained from 50 year legacy. U.S. EPA standards for the protection of the environment, off-site population, and on-site workers should be applied in EIS to the Yucca Mountain site.

Contrary to decades of agency and site contractor insistence (with reports) to the contrary:

The draft report (DOE, Jan. 2000 Draft) also says wholesale pollution of the air, ground and water in and around the plant--and in quantities that may have been significantly under-reported--may have exposed area residents to radiation hazards. As recently as the late 1980's, scrap metal was being released through public sales.

Workers at Paducah (and Portsmouth) may have unknowingly exposed their families by bringing home contaminated clothing to be laundered (with their children's clothing and bedding.) Uranium contaminated steam, smoke, and gas have historically been termed "permitted operational releases" at both plant sites. Rumors of "purges" and "night releases" have been common among plant workers at both sites. DOE investigation of such rumors apparently has found factual basis for further agency review some 45 years later.

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They (3 employees) alleged that Paducah workers were unknowingly exposed to highly radioactive plutonium, contained in the used nuclear fuel that was recycled at the plant, and that some plutonium was released into the environment.

The public and workers were not told until last year that the plant was contaminated with plutonium, But the report says site officials knew plutonium was at the facility in 1953.

The investigators have some context to their findings. They said that although the measured exposures to radiation were high by today's standards, the total exposures were comparable to those occurring at Defense Department facilities, commercial nuclear plants and other DOE factories. (*attach. B.*)

It would seem to me that DOE investigation and report provides compelling evidence for application by DOE of stringent/more protective standards to the Yucca Mountain site (U.S. EPA rather than NRC). "Context" provided by DOE findings do not offer any suggestion that private commercial facilities have historically done better in protecting the public, nuclear facility workers, or the environment. On the contrary, DOE "context" indicates that standards applied in the 1950's to 1990 were state-of-the-art, such as those were, for communities and workers with nuclear facilities. DOE is mandated to apply agency lessons learned to Yucca Mountain EIS.

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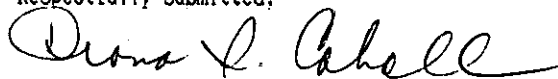
Competing in the global market place (in Ohio, at least) appears to require re-training of the workforce (through educational institutions) to meet foreign companies' needs. One wonders if such rhetoric is, in fact, government-speak for worker willingness to accept 1950's health and occupational exposure standards in exchange/trade for jobs and economic growth in high-unemployment/depressed regions of Ohio. See Attachment C, "Better Workers Needed to Capitalize on Trade," THE CINCINNATI ENQUIRER, Feb. 9, 2000, pg. A-12. Do Japanese corporations consider "whistleblower" employee lawsuits poor etiquette and/or indication of unwillingness to work? It seems highly coincidental to me that days after announced lay off of 850 plant workers by United States Enrichment Corporation at its Portsmouth and Paducah uranium enrichment processing plants, Ohio's workers are being informed that they must adjust their thinking in order for Ohio to fit Japanese corporate workforce needs, and Ohio's schools are considered an appropriate forum to get the re-training job done!

DOE investigation at the Paducah plant site is, in my view, not the problem. Delay of investigation has left workers in rural, company towns at both Paducah and Piketon vulnerable to "transition" back to context conditions of the 1950's. DOE must consider the economic/social impacts upon residents and communities in close proximity to the

3
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Yucca Mountain site in decision-making. Appalachian regions in Ohio and Kentucky are, I believed, being nudged and conditioned to transition back to "context" of the 1950's, with "company towns and regions" run by private corporations, foreign and domestic.

Respectfully submitted,



Diana L. Cahall

7019 Ashridge Arnheim Road

Sardinia, Ohio

(937) 446-4583 Unpublished telephone and facsimile

Attachments

Via facsimile transmission to 1-800-967-0739
on 2/9/00; and, by the U.S. Postal Service, regular mail,
postage prepaid, on 2/9/00.

Editor: Peter Bronson
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A.
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A12 WEDNESDAY, FEBRUARY 9, 2000

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Associate editor

EDITORIALS

NIGHT-MARA: County accused

Haste makes no case for secret meetings

Last Monday the Hamilton County commissioners scored a last-second shot to help the city cap Fort Washington Way for a riverfront park. But now a lawsuit says their buzzer-beater was out of bounds. Let's look at the replay.

The county was refusing to help the city until business leaders donated \$2 million to the \$10 million project and urged county leaders to do the same.

That shamed the county into donating \$2 million, reducing the city share to \$6 million to install pilings, so that the decks can be added when the highway is finished. (The finished decks could cost \$40 million.)

Without county and business contributions, city council members would have refused to pay the entire \$10 million to link downtown to the riverfront. The decks park would have died.

Saving the decks saved a key element of The Banks project for retail, entertainment and housing between two new riverfront stadiums. It's a big win for our region.

But the county commissioners discussed their contribution in an "executive session" — which is government-speak for a closed meeting. The only exemptions in the Ohio Open Meetings Law are for litigation, personnel matters or purchase of real estate.

Tim Mara, chronic opponent of the stadium tax, has made a hobby of griping and sniping at the county ever since he lost his battle to defeat the 1996 stadium tax. His latest lawsuit aims to nullify the county's guarantee of at least 50,000 ticket sales for the Bengals' first 20 games, at public expense; and approval rights for team owner Mike Brown on some developments near the new stadium.

Mr. Mara hopes to force the county to renegotiate the Bengals' blank-check lease — which is like ordering the cavalry to try again at Little Big Horn.

The bigger concern is Mr. Mara's accusation that the county violated the Open Meetings Law.

"It was not a violation," Commissioner Tom Neyer insists. "We were discussing the Crosset property purchase."

In return for its \$2 million donation for the decks, the county wanted the city to sell the Crosset parcel, about 12 acres that sit north and west of the Bengals' stadium.

Property purchases are allowed as an exemption from the Open Meetings Law.

"The city couldn't deal on Crosset and it became clear it would have to be an outright grant," Mr. Neyer said. He and Commissioner Bob Bedinghaus agreed to the donation. The third commissioner, John Dowlin, objected to the discussion in a closed meeting.

The county eventually discussed the \$2 million contribution and how to pay it during an open meeting on Wednesday, Feb. 2. But by then, the deal had been announced at a Monday press conference with the city.

"If not for the press of timing, we would have had the debate we had on Wednesday before the press conference on Monday," Mr. Neyer said.

County commissioners have a good track record on open government. In this case, they were in a hurry to reverse their position in time to beat construction deadlines and a city council vote.

But that's no excuse to bend the Open Meetings Law.

Some Paducah workers were used in uranium experiments

Associated Press

LOUISVILLE — Some workers at the Paducah Gaseous Diffusion Plant participated in government radiation experiments in the 1950s, according to a federal report.

Some of the participants volunteered for tests, while some others may not have been informed participants, said a draft report prepared by the U.S. Department of Energy. The report is part of an investigation into health, safety and environmental problems at the Paducah plant.

* In one experiment, health physics staff volunteered to breathe a radioactive gas to see how quickly uranium was excreted in their urine. Trying a different ingestion path, one senior staffer drank uranium in a solution. *

In another, at least 14 workers in the mid-1950s were part of experiments testing the effectiveness of respirators in radioactive dust, gas and smoke.

"The record is unclear as to whether the personnel involved in the experiments were volunteers or informed that they were participants," says the report, which was obtained by The Courier Journal and is dated January 2000.

At the time of the testing, the general dangers of radioactivity were known, but its interactions with the human body were not entirely understood. It was believed that uranium dust and various byproducts of the enrichment process posed little or no hazard to humans.

Asked about the report on Friday, Energy Department officials would say only that it was "under review." The Paducah facility has been managed by the department, as well as by predecessor federal agencies and private contractors.

* Employees at the plant often worked without protection or proper training, the report indicates, and they were sometimes exposed to dangerous radiological and chemical hazards. *

The draft report also says wholesale pollution of the air, ground and water in and around the plant — and in quantities that may have been significantly under-reported — may have exposed area residents to radiation hazards. As recently as the late 1980s, scrap metal contaminated by radiation was being released through public sales.

The report details a wide range of problems at Paducah between 1952 and 1990. For years, investigators found, workers were not always told of the dangers they faced working with highly toxic radioactive materials. And their families may have been exposed when workers brought home contaminated clothing to be laundered.

Vast amounts of uranium-contaminated smoke, steam and gas were emitted from stacks into the open air — sometimes secretly, in what employees called "midnight negatives." Inside some buildings, workers were exposed to unplanned releases and leaks of radioactive gases and hazardous chemicals such as hydrofluoric acid.

The department began its review after a whistleblower

lawsuit by three employees alleged that former plant operators Lockheed Martin Corp. and Martin Marietta Corp. had profited by lying to the government about the extent of environmental pollution around the plant and worker exposure to radiation.

They alleged that Paducah workers were unknowingly exposed to highly radioactive plutonium, contained in the used nuclear fuel that was recycled at the plant, and that some plutonium was released into the environment.

The public and workers were not told until last year that the plant was contaminated with plutonium, which is a far more radioactive element than uranium or neptunium. But the report says site officials knew plutonium was at the facility in 1953.

The investigators gave some context to their findings. They said that although the measured exposures to radiation were high by today's standards, the total exposures were comparable to those occurring at Defense Department facilities, commercial nuclear plants and other DOE factories.

Still, in the 1950s, documents showed 40 to 60 workers were seeking medical help every four months after exposure to accidental releases of uranium, hydrogen fluoride and fluorine.

Three workers died in plant incidents over the 38-year period surveyed. A fourth was so seriously burned that he never returned to work and may have since died.

RECORD

Adams County property transfers

David D. and Dawn A. Wilson and Wayne and Helen Jo Hanson to Richard and Rosellen Roberts, hanger #3 in Wayne Township, \$0.

Mark A. and Anna Thomas to Joe R. and Joyce Gustin, Inlot #60 in West Union, \$0.

Garnette G. Hughes, trustees, 3.823 acre in Liberty Township, \$0.

Steven P. and Tina Cacaro, Joan Cacaro, Madelyn R. Migyanko, David L. and Pat J. Mason, 34.12 acres in Sprigg Township, \$0.

Edward and Bonnie Warnock to Helen R. Warnock Ferren, 2.067 acres in Franklin Township, \$0.

Township, \$0.

and Julie Pitzer to Julie Pitzer, 5.16 acres in Clark Township, \$0.

Floyd and Patricia Hampton to David S. Hampton 9.09 acres in Eagle Township, \$0.

James I. Cahall to Diana I. Cahall, trustee, 192.39 acres in Franklin Township, \$0.

James J. Butler to James

JAPAN MISSION: Gov. Taft's trip The Cincinnati Enquirer Better workers needed to capitalize on trade

EIS001515

— Ohio should be a "brand name" in Ohio's fourth-largest export destination, according to Gov. Bob Taft. His 10-day high-profile visit should help. Yet this is the first trade mission by an Ohio governor since Dick Celeste's trip in 1990. Kentucky Gov. Paul Patton visited Japan last June. In 1988, three years after then-Gov. Martha Layne Collins visited Tokyo, Toyota opened an \$800 million plant in Georgetown, Ky.



Gov. Taft

If Ohio waits until the world's second-largest economy is booming again, it would be too late. The Japanese will remember who struck by them in hard times. They also appreciate an Ohio "thank you" for the \$11 billion that Japanese companies have already invested in Ohio.

Despite Japan's flat economy, some Japanese companies are planning U.S. expansions. Gov. Taft's 55-member delegation, including about 30 corporate leaders, should help keep the "Ohio brand" at the front of the shelf.

Gov. Taft's group discovered Japanese plans for expansions that no one here knew about. Ohio and Greater Cincinnati will need to follow up in the weeks ahead. Cincinnati can play up regional assets such as our airport, quality of life and Japanese companies already in Ohio. But the Taft group collided often with concerns that give Japanese CEOs pause. The two foremost: our tight labor market and lack of worker initiative. Both are rooted in failures of our schools. Ohio has the bodies, but not enough are ready to work.

Honda had a 3 percent turnover last year with its 13,000 work force in four Ohio plants. It had to hire 400 workers just for replacements. Honda and Isuzu officials say they are forced to send over more managers to train workers. They need workers who take initiative to improve production and produce the maximum units from existing factories. "We need to encourage self-reliance," said Toshio Mitsutomi, Honda's general manager of global human resources.

Japan is Ohio's biggest foreign investor by far. Nearly 300 Japanese companies here employ more than 67,000. Last year, Ohio exported \$1.49 billion to Japan, down from a peak of \$2.65 billion in 1996. Japan is

is all about building trust. Quadruple that for Japan.

Bob Taft has a special edge. It's not just that governors can gain access for U.S. business executives at the highest levels of Japan's government and industry. Mr. Taft's great grandfather, President William Howard Taft, visited Japan a half-dozen times in the early 1900s. Washington's cherry trees encircling the Tidal Basin were Japan's gift to First Lady Helen Herron Taft. The White House Tafts sent 50 dogwoods in exchange.

And 88 years later, Gov. Taft brought 50 Ohio dogwoods with him to plant in Japan. The Japanese appreciate that sense of tradition and continuity.

"Please come to Ohio," was Gov. Taft's constant mantra.

Another plus: Both Bob and Hope Taft have been active in the Sister Cities program. On this trip, they personalized Ohio's sister-state ties with Saitama, where Honda has its headquarters. One result could be more exchanges for small and medium-sized companies.

Japan's banks remain mired in debt, and companies there have been slow to restructure. But the strength of the U.S. economy is not lost on Japanese executives looking for sales growth. It's smart for Ohio to keep its "brand name" in front of them.

Lots of hard work remains before Ohio can "close the sale." But Gov. Taft's trade mission to Japan at least gets Ohio's foot in the door.

ACTIVITY REPORT

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